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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,714	10/03/2003	Constantin Mihai	MSFT-2558/305312.1	9867

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EXAMINER

EBIRIM, EMEKA

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/678,714	Applicant(s) MIHAI ET AL.	
	Examiner Emeka Ebirim	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 12-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Status

1. This communication is responsive to the Amendments filed on May 26, 2006. The application has been fully examined. Claims 9-11 and 17 have been cancelled. Claims 1-8 and 12-16 are rejected as detailed below and are pending in this Office Action.

Response to Arguments

Claim Rejections - 35 USC § 101

2. Applicant's arguments with respect to the 101 rejections as applied to claims 12-16 of the present application have been fully considered but are not persuasive. The examiner respectfully traverses applicant's arguments.

Claims 12-16 are not limited to tangible embodiments. These system claims appear to constitute solely software per se. These claims do not indicate use of hardware on which the software runs to perform the steps recited in the body of the claim. Software or program can be stored on a medium and/or executed by a computer. As such, the claims are not limited to statutory subject matter and are therefore non-statutory.

Double Patenting

Applicant's arguments with respect to the claims 13 of the present application have been fully considered and have been found persuasive. As such the examiner has withdrawn the objection as applied claim 13.

Claim Rejections - 35 USC § 102

3. Applicant's arguments with respect to the claims of the present application have been fully considered but are not persuasive. The examiner respectfully traverses applicant's arguments.

The Applicants argue that the reference does not disclose "detecting a request to the Braumandl client for a search on one or more providers...provide to the client a ubiquitous search method for performing the search at each search provider". The Examiner respectfully submits that Braumandl discloses the claimed limitation.

Braumandl discloses it as *lookup service* that finds relevant resources for a query and the parser and the optimizer that tries to find a good plan to execute a query [Braumandl section 3]. It further discloses ObjectGlobe systems to comprise a large number of cycle providers and far more data providers, with several of them contributing data to a specific theme. Figure 4 shows the structure of an example query which extracts information from a number of online databases. [Braumandl section 2.2 Fig 1-2, 5] ObjectGlobe enables applications to execute complex queries which involve the execution of operators from multiple function providers at different sites (cycle providers) and the retrieval of data and documents from multiple data sources [Braumandl section 2].

For the above reasons, Examiner believes that the rejection of the last Office action was proper and amendments as applied to the claims have not been able to overcome the applied art of record.

From the foregoing applicants have not met the requirements needed to traverse the rejections made to this application under 35 U.S.C. 102 (b).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by “ObjectGlobe: Ubiquitous query processing on the Internet” to R. Braumandl (hereinafter Braumandl).

Claim 1.

Braumandl discloses:

A method for a search framework to provide search functionality to a web server across at least two search providers, said method comprising the search framework [two data provider, See Braumandl, Fig 2 section 2.2, paragraph 1,3]:

registering a first search method for performing searches on a first of said at least two search providers [See Braumandl, Fig 3,4 section 2.2];

registering a second search method for performing searches on a second of said at least two search providers [See Braumandl, Fig 3,4 section 2.2];

detecting a request to the web server for a search on a selected search provider from among said first search provider and said second search provider, said selected search provider corresponding to a corresponding search method from among said first search method and said second search method [search request, See Braumandl, Fig 3,4 section 2.2, 3.1.3 paragraph 1];

providing to the web server a ubiquitous search method for performing said search utilizing said corresponding search method [See Braumandl, Fig 2 section 2.2, paragraph 1,3]; and

responding to a call from the web server to said ubiquitous search method by performing said search on the selected search provider utilizing said corresponding search method [plan executed, See Braumandl, Fig 2 section 2.2, paragraph 1,3, page 52 paragraph 3].

Claim 2.

Braumandl discloses the elements of claim 1 as above and furthermore it discloses:

registering a first response format for receiving search results from said first search provider [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 2 page 51];

registering a second response format for receiving search results from said second search provider [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 2 page 51]; and

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where said step of responding to a call from the web server to said ubiquitous search method comprises:

receiving a search result from the selected search provider in a response format corresponding to said selected search provider [data provider; specify; restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 1 and 2 page 51]; and providing said received search result to the web server in a ubiquitous format [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 1 and 2 page 51].

Claim 3.

Braumandl discloses the elements of claim 1 as above and furthermore it discloses where said method comprises:

reading search provider data regarding said first search provider and said second search provider from a configuration file [configurable policy, See Braumandl, section 4.4 paragraph 1].

Claim 4.

Braumandl discloses the elements of claim 3 as above and furthermore it discloses where said method is implemented in conjunction with a web server, and where said configuration file is a web.config file [configurable policy, which is stored in the PolicyFile, See Braumandl, section 4.4 paragraph 1].

Claim 5.

Braumandl discloses:

A method for a search framework to provide search functionality to a web server across at least two search providers, said method comprising the search framework [two data provider, See Braumandl, Fig 2 section 2.2, paragraph 1,3]:

registering a first search method for performing searches on a first of said at least two search providers [See Braumandl, Fig 3,4 section 2.2];

registering a second search method for performing searches on a second of said at least two search providers [See Braumandl, Fig 3,4 section 2.2;

detecting a request to the web server for a search on said first search provider and said second search provider [search request, See Braumandl, Fig 3,4 section 2.2, 3.1.3 paragraph 1];

providing to the web server a ubiquitous search method for performing said search utilizing said first search method and said second search method [See Braumandl, Fig 2 section 2.2, paragraph 1,3]; and

responding to a call from the web server to said ubiquitous search method by performing said search on the first search provider utilizing said first search method and on the second search provider utilizing said second search method [plan executed, See Braumandl, Fig 2 section 2.2, paragraph 1,3, page 52 paragraph 3].

Claim 6.

Braumandl discloses the elements of claim 5 as above and furthermore it discloses the search framework:

registering a first response format for receiving search results from said first search provider [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 2 page 51];

registering a second response format for receiving search results from said second search provider [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 2 page 51]; and

where said step of responding to a call from the web server to said ubiquitous search method comprises:

receiving a first search result from the first search provider in said first response format of said first search provider [data provider; specify; restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 1 and 2 page 51];

receiving a second search result from the second search provider in said second response format from said second search provider; and

providing said first and said second search results to the server in a ubiquitous format [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 1 and 2 page 51].

Claim 7.

Braumandl discloses the elements of claim 6 as above and furthermore it discloses where said step of providing said first and said second search results comprises [search results, See Braumandl 3.1.2 paragraph 3]:

returning said first and said second search results in a unified format [query uses a user defined nearest neighbor operator (this returns a unified result after execution) See Braumandl section 2.2 paragraph 3].

Claim 8.

Braumandl discloses the elements of claim 7 as above and furthermore it discloses where said step of detecting a request for a search on said first search provider and said second search provider comprises receiving response format data, and where said step of providing said first and said second search results comprises:

returning said first and said second search results according to said response format data [first computing the ten nearest neighbor at every data provider and then combining these results, See Braumandl section 2.2 paragraph 3].

Claim 9-11 (cancelled).

Claim 12.

Braumandl discloses:

A computer system for a search framework to provide search functionality to a web server across at least two search providers, said method comprising the search framework [two data provider, See Braumandl, Fig 2 section 2.2, paragraph 1,3]:

registration module for registering a first search method for performing searches on a first of said at least two search providers and for registering a second search method for performing searches on a second of said at least two search providers [provider, registered, See Braumandl section 3.1, paragraph 1 Fig 3,4 section 2.2, page 41 paragraph 2];

search request detection module for detecting a request to the web server for a search on a selected search provider from among said first search provider said first search provider and said second search provider, said selected search provider corresponding to a corresponding search method from among said first search method and said second search method [See Braumandl section, Fig 1, Section 2.1 paragraph 1];

ubiquitous search method provision module for providing to the web server a ubiquitous search method for performing said search utilizing said corresponding method [See Braumandl section, Fig 1, section 2.2]; and

ubiquitous search method response module for responding to a call from the web server to said ubiquitous search method by performing said search on the selected search provider utilizing said corresponding search method [See Braumandl section, Fig 1, section 2.2].

Claim 13.

Braumandl discloses:

A computer system for a search framework to provide search functionality to a web server across at least two search providers, said method comprising the search framework [two data provider, See Braumandl, Fig 2 section 2.2, paragraph 1,3]:

registration module for registering a first search method for performing searches on a first of said at least two search providers and for registering a second search method for performing searches on a second of said at least two search providers [provider, registered, See Braumandl section 3.1, paragraph 1 Fig 3,4 section 2.2, page 41 paragraph 2];

search request detection module for detecting a request to the web server for a search on said first search provider and said second search provider [See Braumandl section, Fig 1, Section 2.1 paragraph 1] ;

ubiquitous search method provision module for providing to the web server a ubiquitous search method for performing said search utilizing said first search method and said second search method [See Braumandl section, Fig 1, section 2.2]; and

ubiquitous search method response module for responding to a call from the web server to said ubiquitous search method by performing said search on the first search provider utilizing said first search method and on the second search provider utilizing said second search method [See Braumandl section, Fig 1, section 2.2].

Claim 14.

Braumandl discloses the elements of claim 13 as above and furthermore it discloses where said registration module further registers a first response format for receiving search results from said first search provider and registers a second response format for receiving search results from said second search provider [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 2 page 51, section 2.2 paragraph 3]; and

where ubiquitous search method response module receives a first search result in said first response format from said first search provider [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 2 page 51, section 2.2 paragraph 3]; receives a second search result in said second response format from said second search provider; and provides said first and said second search results [specify, restrict the size of the result set returned, See Braumandl, Section 2.3 paragraph 2 page 51, section 2.2 paragraph 3.]

Claim15.

Braumandl discloses the elements of claim 14 as above and furthermore it discloses where said first and said second search results are provided in a unified format [See Braumandl, section 2.2 paragraph 3].

Claim 16.

Braumandl discloses the elements of claim 15 as above and furthermore it discloses where said search request detection module receives response format data, and where said first and said second search results are provided according to said response format data [See Braumandl, section 2.2 paragraph 3].

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emeka Ebirim whose telephone number is 571-272-3994. The examiner can normally be reached on 8:30pm - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KHANH B. PHAM
PRIMARY EXAMINER

Name: Emeka Ebirim
Art Unit: 2166